

AMENDED IN ASSEMBLY MAY 31, 2006

AMENDED IN ASSEMBLY MAY 26, 2006

AMENDED IN ASSEMBLY APRIL 17, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 3018

Introduced by Assembly Members Lieber and Laird

February 24, 2006

An act to add Chapter 7.5 (commencing with Section 39935) to Part 2 of Division 26 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 3018, as amended, Lieber. Air pollution: indoor air pollution.

Under existing law, the State Air Resources Board is the state agency charged with coordinating efforts to attain and maintain ambient air quality standards. Existing law requires the state board to identify toxic air contaminants that are emitted into the ambient air of the state. Existing law also requires the state board to adopt airborne toxic control measures to reduce the emissions of toxic air contaminants from nonvehicular sources.

This bill, in addition, would require the state board, in consultation with the State Department of Health Services, and other appropriate local, state, or federal agencies, to develop and establish a program for the prevention and control of indoor air pollution that includes, but is not limited to, education and community outreach, indoor air quality guidelines, and emission standards or other measures that limit the emissions of air contaminants from indoor sources of air pollution that may cause or contribute to adverse health effects, as specified. The

bill would require the state board to develop and adopt emission standards, or other indoor air pollution prevention and control measures determined to be necessary, cost effective, and technologically feasible for those contaminants given the highest priority by the state board as posing the greatest threat to human health. The bill would require that the state board adopt emission standards, guidelines, or other indoor air pollution prevention and control measures, or conduct public education and community outreach for at least 2 high priority source categories by December 31, 2011. *The state board would be prohibited from adopting any such emission standard that prevents the use of natural gas or any other fuel. The bill would require the state board, prior to adopting an emission standard or other regulatory indoor air pollution prevention and control measure, to report on the need for, and appropriate degree of regulation for, the source category covered by the emission standard or measure in consultation with appropriate state agencies, affected emission sources, and interested members of the public. If the state board concludes in the report that active local exhaust ventilation or other measures for gas and propane combustion appliances would best minimize potential adverse health effects associated with indoor combustion emissions, the state board would be authorized to recommend to the California Building Standards Commission to adopt building standards for that purpose.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Public health, safety, and welfare may be endangered by
- 4 the emission of pollutants into the indoor air.
- 5 (b) Studies conducted by the State Air Resources Board and
- 6 the federal Environmental Protection Agency have shown that
- 7 indoor levels of carcinogens, volatile organic compounds, and
- 8 other pollutants are often higher than outdoor levels, and that
- 9 these levels, can exceed health-based guidelines or standards.
- 10 (c) Californians have been found to spend about 87 percent of
- 11 their time indoors. Vulnerable populations, including, but not
- 12 limited to, the elderly and children, may spend even more time

1 indoors. Children may be especially vulnerable to poor indoor air
2 quality due to their underdeveloped physiology and immune
3 systems.

4 (d) Scientists have estimated that pollutants emitted indoors
5 have a one-thousandfold greater chance of being inhaled than do
6 those emitted outdoors.

7 (e) Indoor air pollutants can cause cancer, respiratory disease,
8 and other adverse health effects, as well as trigger allergies and
9 asthma attacks. In its July 2005 report to the Legislature, the state
10 board estimated that approximately 230 excess cancer cases in
11 California occur annually due to exposure to toxic air
12 contaminants emitted from indoor sources such as building
13 materials, appliances, and other products used indoors. This is
14 comparable to the estimated cancer burden from outdoor diesel
15 exhaust particles, and is more than double the cancer burden
16 from other outdoor air pollutants.

17 (f) The total cost of quantifiable morbidity and mortality
18 associated with exposure to indoor air pollution in California
19 homes, schools, and nonindustrial workplaces is estimated at
20 forty-five billion dollars (\$45,000,000,000) per year.

21 (g) Persons residing in California may be exposed to a
22 multiplicity of indoor air pollutants from numerous sources that
23 may act cumulatively to produce adverse effects, and this
24 phenomenon should be taken into account when evaluating the
25 health effects of individual compounds.

26 (h) It is the public policy of the state that emissions of indoor
27 air pollutants be controlled to levels which prevent harm to the
28 public health.

29 (i) There is no systematic program to improve indoor air
30 quality. There are relatively few regulations or standards that
31 specifically address indoor air quality problems, and few
32 resources are focused on effectively addressing problems and
33 promoting improvements. Current efforts to address indoor air
34 pollution are not commensurate with the scope of the risk to
35 health it poses to Californians.

36 (j) A statewide program to prevent and control indoor air
37 pollution is necessary and desirable.

38 SEC. 2. Chapter 7.5 (commencing with Section 39935) is
39 added to Part 2 of Division 26 of the Health and Safety Code, to
40 read:

CHAPTER 7.5.

INDOOR AIR POLLUTION PREVENTION AND CONTROL

39935. (a) In carrying out the requirements of subdivision (b), the state board, in consultation with the State Department of Health Services and other appropriate local, state, or federal agencies, shall develop and establish a program for the prevention and control of indoor air pollution that includes, but is not limited to, the following elements:

(1) Education and community outreach.
(2) Emission standards or other measures that limit the ~~emission~~ emissions of air contaminants from indoor sources of air pollution that may cause or contribute to adverse health effects, including contaminants that have been identified as toxic air contaminants pursuant to Section 39655, 39657, or 39660, or contaminants for which the state board has adopted ambient air quality standards.

(3) Development of indoor air quality guidelines.

(b) The state board shall develop and adopt emission standards or other indoor air pollution prevention and control measures determined to be necessary, cost effective, and technologically feasible to reduce public exposure to the high-priority source categories of indoor air contaminants identified pursuant to the report required by Section 39930 and submitted to the Legislature in July 2005.

(c) The state board shall adopt emission standards, guidelines, or other indoor air pollution prevention and control measures or conduct public education and community outreach for at least two high priority source categories by December 31, 2011.

(d) The state board shall not adopt any emission standard pursuant to this section that prevents the use of natural gas or any other fuel.

~~(d)~~
(e) Prior to adopting an emission standard or other regulatory indoor air pollution prevention and control measure pursuant to this section, the state board shall prepare, and make available for public review, a report on the need for, and appropriate degree of regulation for, the source category covered by the emission standard or measure in consultation with appropriate state

1 agencies, affected emission sources, and interested members of
2 the public. The report shall address both of the following:

3 (1) The potential emissions, exposures, and health effects
4 associated with the source category covered by the standard or
5 measure.

6 (2) The availability, technological feasibility, and costs of
7 options to reduce or eliminate emissions from the source
8 category covered by the emission standard or measure.

9 *(f) If the state board concludes in the report required by*
10 *subdivision (e), that active local exhaust ventilation or other*
11 *measures for gas and propane combustion appliances would best*
12 *minimize potential adverse health effects associated with indoor*
13 *combustion emissions, it may recommend to the California*
14 *Building Standards Commission to adopt building standards for*
15 *that purpose.*

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18 **CORRECTIONS:**

19 **Text — Page 4.**
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